UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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ANDRE WALTON,   :

               Plaintiff,   :

                         :

          -v-   :

                         :   10 Civ. 6301 (JSR)

CORRECTION OFFICER ALSTON,   :
Individually, CORRECTION OFFICER   :   ORDER
ALSTON, in her Official Capacity, NEW   :
YORK CITY DEPARTMENT OF CORRECTIONAL   :
SERVICES, COMMISSIONER MARTIN F.   :
HORN, Dept. of Corrections,   :

                         :

              Defendants.   :
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JED S. RAKOFF, U.S.D.J.

On February 15, 2011, the Honorable James C. Francis IV, United States Magistrate Judge, issued a Report and Recommendation in the above-captioned matter recommending that the plaintiff's in forma pauperis status be revoked and that plaintiff be given thirty days to submit the filing fee or to demonstrate that he meets the imminent danger exception under 28 U.S.C. § 1915(g). On March 10, 2011, the Court adopted the Report and Recommendation, finding that petitioner had waived any right to review by this Court by failing to file any objection to the Report and Recommendation within fourteen days.

On March 14, 2011, the Court received written objections from the petitioner.[1] Accordingly, the Court has reviewed the objections and the underlying record de novo. Having done so, the Court finds itself in complete agreement with Magistrate Judge Francis's Report and

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[1] This submission was received by the pro se office on March 10, 2011. Although the written objection itself is undated, the attached affirmation of service is dated March 1, 2011.

Recommendation and hereby adopts its reasoning by reference. The Court

reaffirms its March 10, 2011 Order revoking plaintiff's <u>in forma</u>

<u>pauperis</u> status and directing plaintiff to either submit the filing fee

or to demonstrate that he meets the imminent danger exception under 28

U.S.C. § 1915(g). Because of the apparent delay in the Court's receipt

of petitioner's objections, petitioner is hereby granted until April

18, 2011 to comply with the Court's Order.

     SO ORDERED.

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                                                                 JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
       March 2(, 2011